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| APPLICATION NO.                      | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|--------------------------------------|-------------|----------------------|---------------------|------------------|
| 09/384,371                           | 08/27/1999  | BRENDAN MURRAY       | 52817.000091        | 7713             |
| 909                                  | 7590        | 08/19/2005           | EXAMINER            |                  |
| PILLSBURY WINTHROP SHAW PITTMAN, LLP |             |                      | SPOONER, LAMONT M   |                  |
| P.O. BOX 10500                       |             |                      | ART UNIT            |                  |
| MCLEAN, VA 22102                     |             |                      | PAPER NUMBER        |                  |

2654

DATE MAILED: 08/19/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

**Application No.**

09/384,371

**Applicant(s)**

MURRAY ET AL.

**Examiner**

Lamont M. Spooner

**Art Unit**

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 04 January 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1,8,15,22 and 29-34 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 32 and 33 is/are allowed.
- 6) ☒ Claim(s) 1,8,15,22 and 29-31 is/are rejected.
- 7) ☐ Claim(s) 8,22 and 34 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 August 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 02/22/02, 1/04/05
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 8, 22, and 34 objected to because of the following informalities:  
In claim 8, line 11, "pre determined" should probably be - -pre-determined- -.  
In claim 22, line 15, "pre determined" should probably be - -pre-determined- -.  
In claim 34, line 4, "pre determined" should probably be - -pre-determined- -.  
Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:  

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
3. Claims 1, 8, 15, 22, 29, 30 and 31 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.
  - In claim 1, step b), lines 5, 6, and 8, "that character", has ambiguity issues.  
The Examiner is unable to discern which character.
  - In claim 8, page 4 line 1, "that character" has ambiguity issues. The Examiner is unable to discern which character (i.e. that "compared" character or that "particular" character, etc.), page 4, line 3, "and a value of each character" has ambiguity issues (i.e. same as above).
  - In claim 15 page 4, line 16, "the processor unit" should probably be - -the processor means- -, page 5, line 1, "that character" has ambiguity issues (ibid of

claim 8 "that character"), line 3, "each character" has ambiguity issues (ibid of claim 8, "and a value of each character").

- In claim 22, page 5, line 14, "that character" has ambiguity issues (ibid claim 15 "that character"), line 17, "and a value of each character" has ambiguity issues (ibid claim 15 "and a value of each character").

- In claim 29, line 2, "each character" has ambiguity issues. The Examiner is unable to discern which character (i.e. each "received character" or "message" character, line 6, "said character" has ambiguity issues (i.e. said "each character" or said "characters as input").

- In claim 30, line 3, "said character" has ambiguity issues. The Examiner is unable to discern which character (i.e. said "input character", said "each" character, said "character as input").

- In claim 31, line 2, "each character" has ambiguity issues (ibid of claim 29 "each received character" and ibid of claim 30, "said character").

#### ***Allowable Subject Matter***

4. Claims 32, and 33 are allowed.

#### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

- Houchin et al. (US 6,321,192) teaches matching keywords using a parsed keyword data structure.

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6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lamont M. Spooner whose telephone number is 571/272-7613. The examiner can normally be reached on 8:00 AM - 5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richemond Dorvil can be reached on 571/272-7602. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lms  
7/15/05

Donald L. Storm  
PATENT EXAMINER  
AU 2654